

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

23-CR-99-LJV

SIMON GOGOLACK, et al.,

Defendant.

NOTICE

THE UNITED STATES OF AMERICA, by and through its attorneys, Michael DiGiacomo United States Attorney for the Western District of New York, Joseph M. Tripi, Nicholas T. Cooper, Casey L. Chalbeck, and Caitlin M. Higgins, Assistant United States Attorneys, of counsel, hereby notifies the Court and defendants that the government will not seek the death penalty in this case.

Pursuant to the Attorney General's February 5, 2025, internal memorandum directing a review of "no seek" decisions made since January 20, 2021, the Department of Justice reviewed its previous decision in this case not to seek the death penalty. As a result, and consistent with the status of this case since February 23, 2024, the government reaffirms

and notifies Peter Gerace, Jr., John T. Ermin, Simon Gogolack, and Howard Hinkle, Jr.
that it will not seek the death penalty in this case.

DATED: Buffalo, New York, April 8, 2025.

MICHAEL DIGIACOMO
United States Attorney

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